

ORDINANCE NO. G-2015-4 INTRODUCED BY: Connie Robinson  
PETITIONER: Aztar Indiana Gaming Company, LLC dba Tropicana

**AN ORDINANCE TO VACATE A PUBLIC RIGHT-OF-WAY: 1) ALL OF THE 12' ALLEY LYING NORTHEAST OF LOT 6 IN THE LOWER ENLARGEMENT TO THE CITY OF EVANSVILLE, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK E, PAGE 24 IN THE OFFICE OF THE RECORDER OF VANDERBURGH COUNTY, INDIANA, SAID ALLEY LYING SOUTHWEST OF LOT 11 IN SAID LOWER ENLARGEMENT:**

**WITHIN THE CITY OF EVANSVILLE, INDIANA, COMMONLY KNOWN AS 507 NW Riverside Dr.**

BE IT ORDAINED by the Common Council of the City of Evansville, Indiana, as follows, to-wit:

Section I. That pursuant to MCE Section 12.05.450, a sworn petition, was presented to the Common Council of the City of Evansville, requesting that the platted right-of-way described in Section III, below, be vacated by the City of Evansville.

Section II. That after due and proper notice, a timely public hearing was convened by the Common Council, at which time all interested persons were permitted to address the Common Council regarding said vacation.

Section III. That the Common Council of the City of Evansville, after due investigation and consideration, has determined that the nature and extent of the public use and the public interests to be subserved are such as to warrant the vacation of that part of the platted RIGHT-OF-WAY described as follows, and further indicated by the words "To Be Vacated" on the drawing hereto attached, which is made a part of this Ordinance:

All that part of the 12 foot alley lying northeast of and adjacent to Lot 6 in the Lower Enlargement of the City of Evansville, also known as McGary's Enlargement, as per plat thereof, recorded in Plat Book A, Page 120 and re-transcribed of record in Plat Book E, Page 24 in the office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

Beginning at the east most corner of said Lot 6, said point also being the north most corner of Lot 5 in said Lower Enlargement and also being a corner of Parcel 1 of the alley vacated by Declaratory Resolution No. 12-1967; thence along the northeast line of said Lot 6, North 52 degrees 18 minutes 01 seconds West 74.25 feet to the north most corner of said Lot 6, also being the east most corner of Lot 7 in said Lower Enlargement, and being the south most corner of Parcel A of the alley vacated by Declaratory Resolution No. 2-1963; thence along the southeast line of said Parcel A, North 37 degrees 24 minutes 29 seconds East 12.00 feet to the east most corner of said Parcel A; thence along the northeast line of an existing alley, South 52 degrees 18 minutes 01 seconds East 74.25 feet to the north most corner of said Parcel 1; thence along the northwest line of said Parcel 1, South 37 degrees 24 minutes 29 seconds West 12.00 feet to the point of beginning containing 891.0 square feet.

(See attached Exhibit)

Section IV. That the vacation of said public ways described in Section III. above will be subject to the following easements and reservations:

- 1) All of the alley to be vacated will be subject to an easement in favor of Vectren for an existing underground electric line and an existing underground gas line.
- 2) All of the alley to be vacated will be subject to an easement in favor of AT&T for an existing pole and existing underground and aerial utilities.

**FILED**

**JAN 23 2015**

The easements in favor of Vectren are subject to the following language:

UG Electric line:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

UG Gas Line:

An easement with the right to lay, construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove a pipe line, together with drips, tie-overs, valves, anodes, protective facilities, and all other appurtenances thereto, whether above or below the surface, convenient or necessary for the transportation of gas or other substances which can be transported through a pipe line, in, under, over, across, upon, and through said strips of land together with the right of ingress and egress over the lands of Grantor to and from said pipe line in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees, brush or other obstructions located within said strips of land, and no buildings, structures, equipment, machinery, and or any other type of improvement or property, either of a permanent or temporary nature, shall be located or maintained within the area of vacated strip of land.

The easement in favor of AT&T is subject to the following language:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more communication lines, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted.

Therefore, the Common Council of the City of Evansville, Indiana, does hereby find the above-described PUBLIC RIGHT-OF-WAY is no longer required for public use, and the public interest will be served by such vacation, and the Common Council of the City of Evansville does hereby vacate the PUBLIC RIGHT-OF-WAY described in Section III, above, subject to the terms and conditions as stated in this Ordinance.

PASSED by the Common Council of Evansville, Indiana, on this 23 day of February, 2015, and on said day signed by the President of said Common Council and attested to by the City Clerk.

ATTEST:

H. Dan Adams MD

H. Dan Adams MD President

Laura Brown Windhorst  
Laura Brown Windhorst, City Clerk

Presented by me, the undersigned, City Clerk of the City of Evansville, Indiana, to the Mayor of said City, the 25 day of February, 2015.

Laura Brown Windhorst  
Laura Brown Windhorst, City Clerk

Having examined the foregoing Ordinance, I do now as Mayor of said City of Evansville, Indiana, approve said Ordinance, and return; same to the City Clerk this 25<sup>th</sup> day of FEBRUARY, 2015 at 8:00 p.m.

Lloyd Winnecke  
Lloyd Winnecke, Mayor  
City of Evansville, Indiana

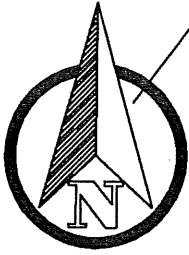
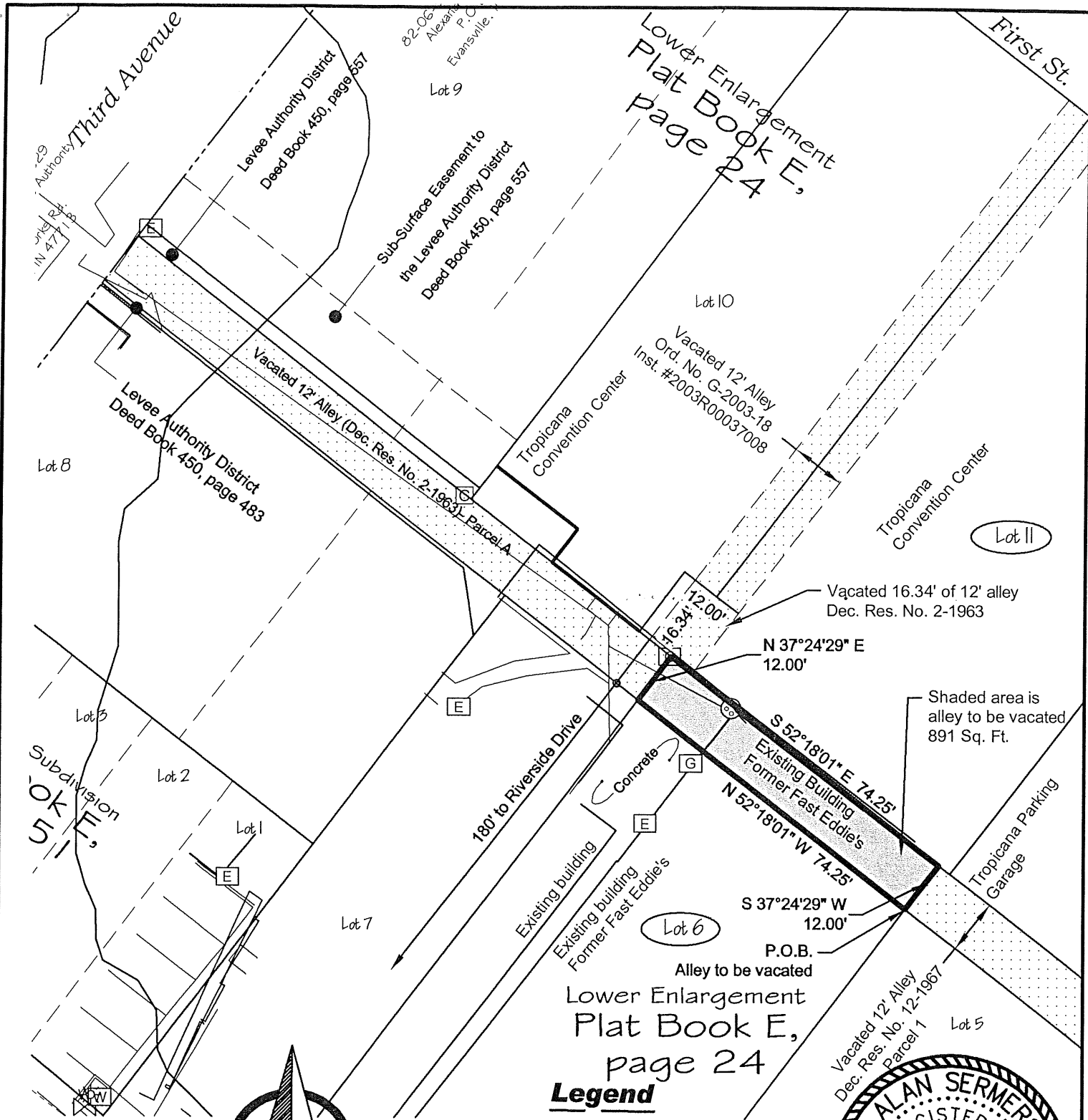
APPROVED AS TO FORM:  
Ted Ziemer-Corporate Counsel

This instrument was prepared by Bret A. Sermersheim of Morley and Associates, Inc., 4800 Rosebud Lane, Newburgh, Indiana 47630

Petitioner's Mailing Address:

Aztar Indiana Gaming Company, LLC dba Tropicana  
8345 W. Sunset Road Suite 200  
Las Vegas, NV 89113

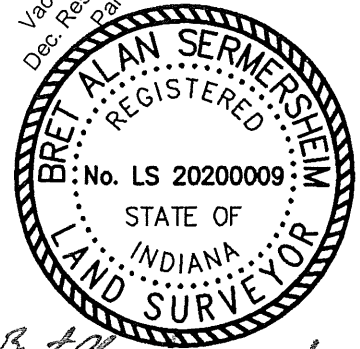
"I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law." Allen Simpson



Scale: 1"=30'

### Legend

- E Electric Meter
- W Water Meter
- W Water Valve
- ⊗ Utility Pole
- G Gas Meter
- Currently vacated alley



**Morley and Associates Inc.**

Engineering  
Surveying  
Architecture  
Construction Management

4800 Rosebud Lane  
Newburgh, IN 47630  
(812) 464-9585  
www.morleyandassociates.com

Alley Vacate Exhibit  
Lower Enlargement to the  
City of Evansville

Designed By:	Job Number:
Drawn By:	Date:
BAS	11/06/2014
Filename:	
9341 vacate alley	

**SWORN PETITION FOR VACATION** of the following public right-of-way: , 1) all of the 12' alley lying northeast of Lot 6 in the Lower Enlargement to the City of Evansville, as per plat thereof, recorded in Plat Book E, Page 24 in the office of the Recorder of Vanderburgh County, Indiana, said alley lying southwest of Lot 11 in said Lower Enlargement:

Regarding the vacation of the following public right-of-way:, 1) all of the 12' alley lying northeast of Lot 6 in the Lower Enlargement to the City of Evansville, as per plat thereof, recorded in Plat Book E, Page 24 in the office of the Recorder of Vanderburgh County, Indiana, said alley lying southwest of Lot 11 in said Lower Enlargement

Aztar Indiana Gaming Company, LLC dba Tropicana Evansville (the Petitioner), files this Sworn Petition for Vacation of an existing public right-of-way, to the Common Council of the City of Evansville, Indiana, in accordance with the Municipal Code of Evansville, Subchapter 12.05.450 et. seq. (the code), as follows:

1. Name and address of Petitioners: Aztar Indiana Gaming Company, LLC, dba Tropicana Evansville  
8345 W. Sunset Rd. Suite 200  
Las Vegas, NV 89113

By: Lance J. Millage Its: Executive Vice President, CFO, and Treasurer

Principal place of business:  
Las Vegas, Nevada  
Phone: (702) 589-3900

2. Circumstances: Petitioners seek the vacation of the above noted right of way because the former alleys on either side of the alley to be vacated have already been vacated and the location of alley is encumbered by buildings.

3. Legal Description of the right-of-way proposed to be vacated:

All that part of the 12 foot alley lying northeast of and adjacent to Lot 6 in the Lower Enlargement of the City of Evansville, also known as McGary's Enlargement, as per plat thereof, recorded in Plat Book A, Page 120 and re-transcribed of record in Plat Book E, Page 24 in the office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

Beginning at the east most corner of said Lot 6, said point also being the north most corner of Lot 5 in said Lower Enlargement and also being a corner of Parcel 1 of the alley vacated by Declaratory Resolution No. 12-1967; thence along the northeast line of said Lot 6, North 52 degrees 18 minutes 01 seconds West 74.25 feet to the north most corner of said Lot 6, also being the east most corner of Lot 7 in said Lower Enlargement, and being the south most corner of Parcel A of the alley vacated by Declaratory Resolution No. 2-1963; thence along the southeast line of said Parcel A, North 37 degrees 24 minutes 29 seconds East 12.00 feet to the east most corner of said Parcel A; thence along the northeast line of an existing alley, South 52 degrees 18 minutes 01 seconds East 74.25 feet to the north most corner of said Parcel 1; thence along the northwest line of said Parcel 1, South 37 degrees 24 minutes 29 seconds West 12.00 feet to the point of beginning containing 891.0 square feet.

4. Names, addresses, and zip codes of all owners of land within 200 feet of the rights-of-ways to be vacated.

See attached Exhibit "A".

5. Location Map and Site Plan  
See attached Exhibit "B-1 & B-2"

6. Copies of letters from Vectren, AT&T, Time Warner Cable, WOW Communications, Evansville Water and Sewer Utility, the Evansville City Engineer, and the Evansville Fire Department are attached as Exhibits "C" through "I", inclusive.

That the above described right of way to be vacated, based upon the comments from the above operating utilities, will be subject to the following easements and reservations:

- 1) All of the alley to be vacated will be subject to an easement in favor of Vectren for an existing underground electric line and an existing underground gas line.
- 2) All of the alley to be vacated will be subject to an easement in favor of AT&T for an existing pole and existing underground and aerial utilities.

The easements in favor of Vectren are subject to the following language:

UG Electric line:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

UG Gas Line:


An easement with the right to lay, construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove a pipe line, together with drips, tie-overs, valves, anodes, protective facilities, and all other appurtenances thereto, whether above or below the surface, convenient or necessary for the transportation of gas or other substances which can be transported through a pipe line, in, under, over, across, upon, and through said strips of land together with the right of ingress and egress over the lands of Grantor to and from said pipe line in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees, brush or other obstructions located within said strips of land, and no buildings, structures, equipment, machinery, and or any other type of improvement or property, either of a permanent or temporary nature, shall be located or maintained within the area of vacated strip of land.

The easement in favor of AT&T is subject to the following language:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more communication lines, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted.

IN WITNESS THEREOF, the undersigned has caused this petition to be executed this 15<sup>th</sup> day  
of January, 2015.

Aztar Indiana Gaming Company, LLC dba Tropicana Evansville

By: 

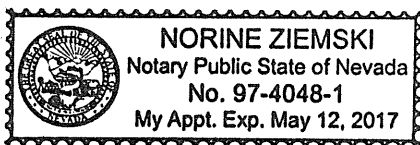
Printed: Lance J. Millage

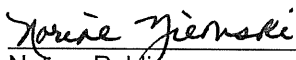
Its: Executive Vice President, CFO & Treasurer

State of Nevada )  
 ) SS  
County of Clark )

Before me, the undersigned Notary Public in and for said county and state, personally appeared  
the above named Lance Millage  
he being first duly sworn by me upon their oath, says that the facts alleged in the foregoing Affidavit are  
true.

Signed and sealed this 15<sup>th</sup> day of January, 2015



  
Notary Public  
Norine Ziemski  
(printed name)

My commission expires:

May 12, 2017

**9341.4.001A**  
**Adjoiners' List**  
**12/15/2014**

82-06-30-029-001.001-029  
Alexander Real Estate Inc.  
P.O. Box 14036  
Evansville, IN 47728-4036

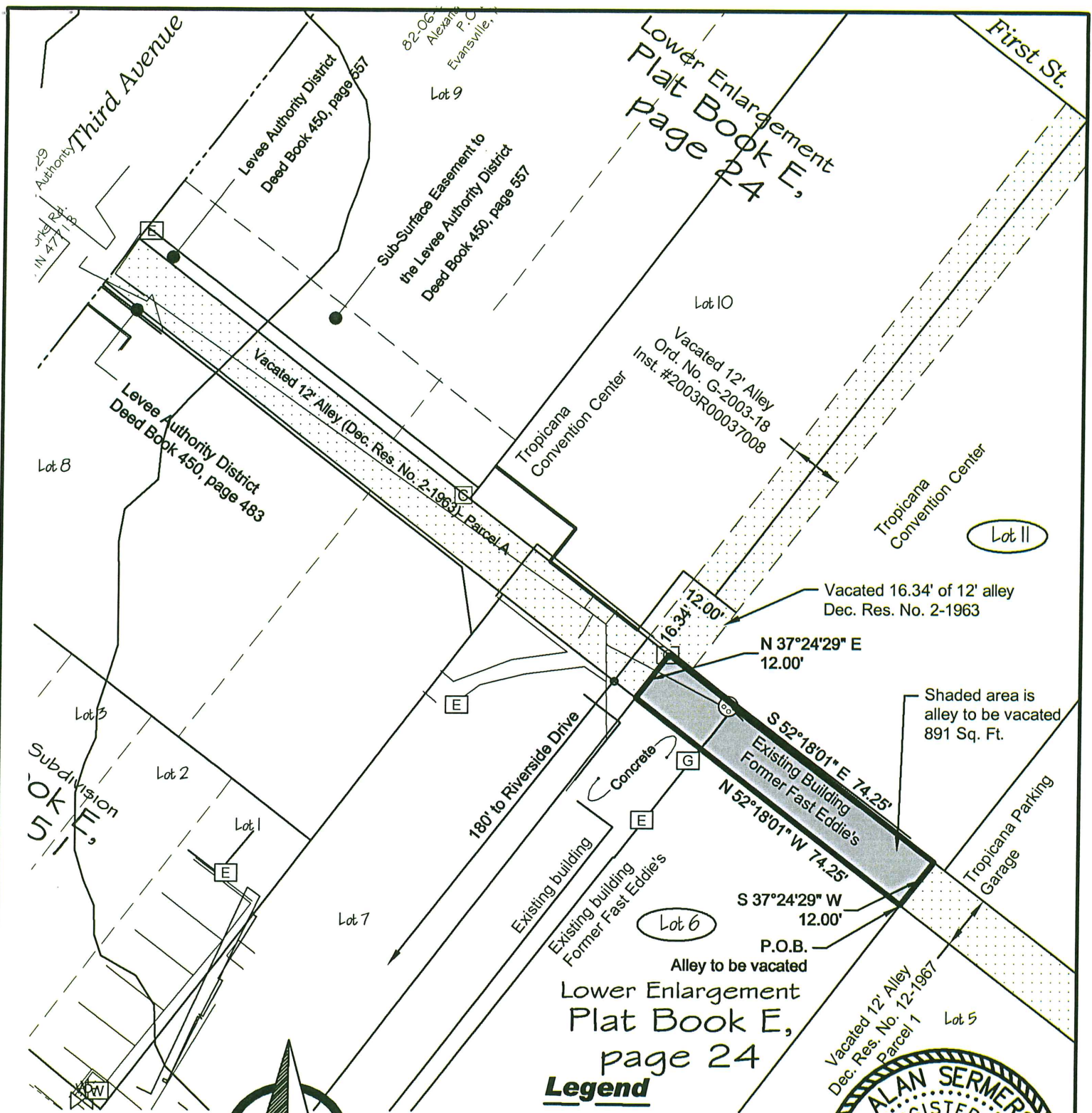
Downtown Neighborhood Association  
Paul Black  
508 Main Street Unit 4H  
Evansville, IN 47708

82-06-30-029-001.008-029  
Evansville, Vanderburgh Levee  
Authority District  
1300 Waterworks Authority  
Evansville, IN 47713

82-06-30-029-117.003-029  
82-06-30-029-003.021-029  
Industrial Contractors Inc.  
401 NW First St.  
Evansville, IN 47708

**EXHIBIT "A"**





Scale: 1"=30'

**Legend**

- E Electric Meter
- W Water Meter
- W Water Valve
- ⊗ Utility Pole
- G Gas Meter
- Currently vacated alley



*Bret Alan Sermershem*  
November 6, 2018



**Engineering  
Surveying  
Architecture  
Construction Management**

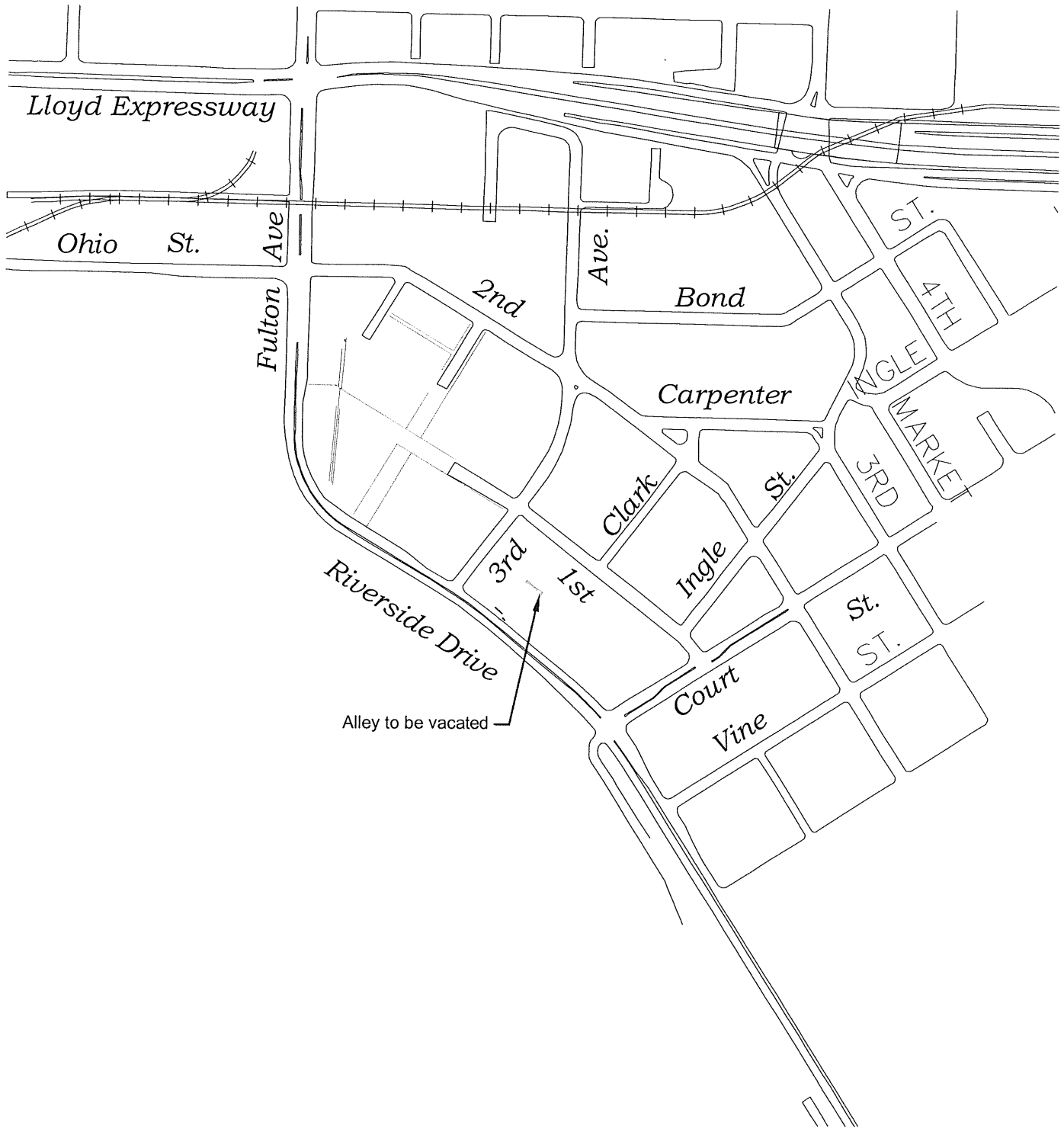
4800 Rosebud Lane  
Newburgh, IN 47630  
(812) 464-9585  
www.morleyandassociates.com

**Alley Vacate Exhibit  
Lower Enlargement to the  
City of Evansville**

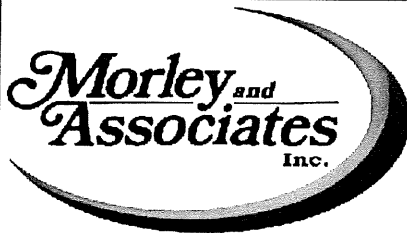
Designed By:	Job Number:
Drawn By:	Date:
File name:	

BAS 11/06/2014 9341 vacate alley

Exhibit "B-1"



**SCALE 1" = 500'**



Engineering  
Surveying  
Architecture  
Construction Management

4800 Rosebud Lane  
Newburgh, IN 47630  
(812) 464-9585  
www.morleyandassociates.com

## Location Map Alley Vacate Exhibit

*Exhibit "B-2"*

Tab:	Location Map	Job Number:	9341.4.001A
Drawn By:	BAS	Date:	11/06/2014
Filename:	9341 vacate alley.dwg		



Energy Delivery

P.O. Box 209

Evansville, Indiana 47702-0209

December 4, 2014

Mr. Bret A. Sermersheim, P.L.S.  
Morley and Associates Inc.  
4800 Rosebud Lane  
Newburgh IN 47630

RECEIVED

DEC 05 2014

*Morley and Associates Inc*

Re: Alley Vacation-Tropicana-Former Fast Eddy's

Dear Mr. Sermersheim:

Southern Indiana Gas and Electric Company, Inc. doing business as Vectren Energy Delivery of Indiana has researched the above location requested for vacation and there is currently an existing underground electric line and gas lines within the subject alley vacation as shown in attached Exhibit "A". Therefore, the vacation request should include the following language to reserve our rights:

Southern Indiana Gas and Electric Company, Inc. d/b/a Vectren Energy Delivery of Indiana, hereinafter referred to as Company reserves the following easement rights:

UG Electric line:

An easement with the right to construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove one or more electric lines above or below ground, whether facilities are above or below ground, together with all appurtenances and appliances, fixtures or equipment as may be convenient or necessary for the transmission of electric energy, upon, over, under and across said strips of land together with the right of ingress and egress over the lands to and from said facilities in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees located within said strips of land, and the right to trim or remove, at Company's sole discretion, any and all trees located outside said strip of land that are of such height that in falling directly to the ground they could come in contact with said above ground facilities, and the right to remove brush or other obstructions from said strip of land.

UG Gas Line:

An easement with the right to lay, construct, inspect, maintain, operate, repair, alter, relocate, enlarge, rebuild and remove a pipe line, together with drips, tie-overs, valves, anodes, protective facilities, and all other appurtenances thereto, whether above or below the surface, convenient or necessary for the transportation of gas or other substances which can be transported through a pipe line, in, under, over, across, upon, and through said strips of land together with the right of ingress and egress over the lands of Grantor to and from said pipe line in the exercise of the rights herein granted. The Company also reserves the right to trim or remove, at Company's sole discretion, any and all trees, brush or other obstructions located within said strips of land, and no buildings, structures, equipment, machinery, and or any other type of improvement or property, either of a permanent or temporary nature, shall be located or maintained within the area of vacated strip of land.

Exhibit "C"

The above rights must be reserved in the ordinance for Southern Indiana Gas and Electric Company/Vectren to approve the said vacation.

Please forward to my attention a copy of the recorded ordinance upon passing, and if you have any questions, please feel free to give us a call.

Sincerely,

A handwritten signature in cursive script that reads "Becky Merkley". The signature is written in dark ink and is positioned above the printed name and title.

Becky Merkley  
Right of Way Agent  
Vectren Energy Delivery of Indiana  
812 491 4544

Exhibit "C"





AT&T Indiana  
134 NW Sixth Street  
Evansville, IN 47708

T: 812-464-6055  
F: 812-464-6120  
www.att.com

November 11, 2014

Bret A. Sermersheim, P.L.S.  
Morley and Associates Inc.  
4800 Rosebud Lane  
Newburgh, IN 47630

Re: Tropicana  
12' Alley on back side of former Fast Eddie's Restaurant  
507 NW Riverside Drive  
M&A project # 9341 .4.OOIA

Dear Mr. Sermersheim,

I have reviewed your request for the vacation of a 12' Alley on back side of former Fast Eddie's Restaurant located at 507 NW Riverside Drive, as indicated on the drawings sent to AT&T on 11/6/14.

AT&T does have existing facilities consisting of a pole, buried and aerial service wire located within the indicated portion of the alley-way. AT&T's facilities will need to remain in place, meaning the right-of-way can not be vacated unless an easement is granted in favor of AT&T covering the existing facilities along with ingress/egress to allow access to these facilities. AT&T would not object to an encroachment upon the right-of-way, as long as access to AT&T's facilities is not obstructed.

If your client will require the relocation of these facilities please contact the AT&T Custom Work Order Group (1/888/901/2779) to obtain a cost estimate.

Please let me know if you have any questions or concerns.

Thanks,

Andy Folz  
AT&T Engineering Department  
Office: 812-464-6055  
Email: af1896@att.com

*Exhibit "D"*

1900 N. Fares Ave  
Evansville, Indiana 47711  
Ph: (812)253-2755  
Fax: (812) 909-0293  
Cell: (812) 305-8348



November 13, 2014

Morley and Associates  
Bret Sermersheim  
4800 Rosebud Ln.  
Newburgh, IN 47630

RE: Tropicana  
12' Alley on back side of former Fast Eddie's Restaurant  
507 NW Riverside Drive  
M&A project# 9341.4.001A

Dear Mr Sermersheim,

In reference to your request to do a study regarding the above proposed vacation, Time Warner Cable has conducted a study and found we do not have facilities along the proposed vacate area.

Time Warner Cable does not oppose to the vacation of the above mentioned area.

If you have any questions or require additional information please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Daryl B. Hulsey".

Daryl Hulsey  
Construction Coordinator  
Time Warner Cable

Exhibit "E"



It's that kind of experience.

December 11, 2014

Bret Sermersheim  
Morley and Associates  
4800 Rosebud Lane  
Newburgh, IN, 477630

**RE: Tropicana 12' Alley on back side of former Fast Eddie's Restaurant 507 NW Riverside Drive  
M&A project # 9341 .4.**

Dear Bret Sermersheim,

The SIGECOM/WOW Outside Plant Engineering department reviewed the said alley way proposed for vacation behind the property at 507 NW Riverside Drive, platted between Lots 6 and 11 of the Lower Enlargement to the City of Evansville, in the city of Evansville Indiana.

As a result of these findings, SIGECOM/WOW does not have any facilities located within the above alley right-of-way and therefore, does not object to the vacation of the above alley right-of-way

This letter granted by SIGECOM/WOW for conditional vacation is valid for one hundred and eighty (180) days.

Please contact my office should you have any questions or need any additional information.

Sincerely,

Rick Bowen  
Outside Construction Manager  
SIGECOM/WOW  
812-437-0395  
rick\_bowen@wideopenwest.com

cc: file

*Exhibit "F"*



LLOYD WINNECKE  
MAYOR

## EVANSVILLE WATER & SEWER UTILITY

ALLEN R. MOUNTS  
DIRECTOR

1 NW Martin Luther King Blvd. Room 104 • Evansville, Indiana 47708  
P O Box 19, Evansville, Indiana 47740-0001  
(812) 436-7846 • FAX (812) 436-7863 • TDD (812) 436-7864

November 26, 2014

Mr. Bret Sermersheim, P.L.S.  
4800 Rosebud Lane  
Newburgh, IN 47630

Re.: Proposed Vacation – Tropicana, 12' Alley on backside of 507 NW Riverside Drive

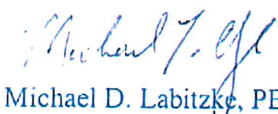
Mr. Sermersheim,

This letter is in response to your request to vacate alley as referenced above. The Evansville Water and Sewer Utility (EWSU) have the following requirements:

The EWSU has no reservation to the vacation.

If you have any questions, please call me at 421-2130 x2228.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael D. Labitzke".

Michael D. Labitzke, PE  
Deputy Director of Utilities - Engineering

*Exhibit "G"*





**City Engineer's Office**  
CIVIC CENTER COMPLEX, ROOM 321  
1 N.W. MARTIN LUTHER KING, JR BLVD.  
EVANSVILLE, INDIANA 47708-1875  
Phone: (812) 436-4990 FAX: (812) 436-4976  
TDD/Hearing Impaired (812) 436-4934

LLOYD WINNECKE  
MAYOR

BRENT A. SCHMITT, P.E.  
CITY ENGINEER

November 11, 2014

Mr. Bret A. Sermersheim  
Morley and Associates Inc.  
4800 Rosebud Lane  
Newburgh, Indiana 47630

Re: Proposed Vacation of 12' Alley on back side of former Fast Eddie's Restaurant  
507 NW Riverside Drive  
M&A project # 9341.4.001A

Dear Mr. Sermersheim:

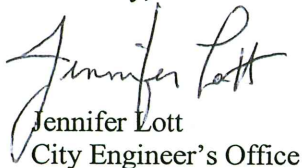
In regards to the above referenced subject and your letter dated November 6, 2014, the following comment is provided for the 12' alley proposed to be vacated on the back side of former Fast Eddie's Restaurant:

Either side of the 12' alley has already been vacated.

The City Engineer's Office does not object to the vacation request. Vacation of this area would have no effect on future plans of this office.

Thank you and please contact me if you have any questions.

Sincerely,

  
Jennifer Lott  
City Engineer's Office

Cc: File

**RECEIVED**  
NOV 13 2014  
*Morley and Associates, Inc*

*Exhibit "H"*



LLOYD WINNECKE  
MAYOR

MIKE CONNELLY  
FIRE CHIEF

550 S.E. Eighth St. Evansville, IN 47713-1786  
(812) 435-6235 FAX: (812) 435-6248 TDD/Hearing Impaired: (812) 436-4925

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November 14, 2014

Bret Sermersheim, PLS  
Morley and Associates  
4800 Rosebud Lane  
Newburgh, IN 47630

RE: Petition for Vacation of Right-of-Way – Streets and Alleys listed below;

Mr. Sermersheim;

We recognize & acknowledge request for Vacation Right-of-way of the following tract referenced on Alley Vacate Exhibit, Lower Enlargement to the City of Evansville (Plat Book E, page 24).

Alley: 12' x 74.25', running northwest/southeast, in 500 block of N.W. Riverside Drive, between Lots 6 & 11, aka Former Fast Eddie's and Tropicana Convention Center, respectively.

**Existing Conditions: Alley**

**Effect of Vacation on Fire Department: none**

**Recommendations: The Evansville Fire Department has no objection in closing of above referenced alley.**

Sincerely,

**Dan Grimm**  
Chief Fire Marshal  
Fire Prevention & Education  
Evansville Fire Department  
550 SE 8th Street  
Evansville, IN 47713  
812.436.4428



*Exhibit "I"*